

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re DAVID NAVARRO.

No. C 13-01791 YGR (PR)

ORDER OF TRANSFER

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This action was opened on April 19, 2013, when the Court received from Inmate David Navarro a letter to the Honorable Thelton E. Henderson that concerned prison conditions.

On the same date, the Clerk of the Court notified Plaintiff in writing that his action was deficient in that he had not submitted his complaint on a proper complaint form and had not submitted an *in forma pauperis* application. The Clerk further notified him that this action would be dismissed he if did not submit a complaint on the proper form and a completed *in forma pauperis* application within twenty-eight days.

Further review of Plaintiff's case reveals that, in addition to failing to submit the proper documents, he has also initiated his civil action in the wrong judicial district. Plaintiff's letter states that he is currently incarcerated at the Richard J. Donovan Correctional Facility (RJDCF) in San Diego, California. He alleges that the medical staff at RJDCF have "denied [him] appropriate medical care." (Apr. 19, 2013 Letter at 1.)

RJDCF is located in the Southern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Southern District of California. The Clerk shall transfer the case forthwith.

If he wishes to further pursue this action, Plaintiff must complete the complaint form and *in forma pauperis* application required by the United States District Court for the Southern District of California and mail them to that district.

1 All remaining motions (Docket No. 6) are TERMINATED on this Court's docket as no
2 longer pending in this district.

3 The Clerk shall also direct an electronic version of Plaintiff's letter and this Order to Judge
4 Henderson.

5 IT IS SO ORDERED.

6 DATED: June 24, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE